

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT

Atty. Docket No.
ALER1410-1

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Technology Center 2600

Applicant
Preston Jett, et al.

Application Number
10/055,007

Date Filed
01/23/2002

Title
BASEBAND SIGNAL CONVERTER FOR A WIDEBAND
IMPULSE RADIO RECEIVER

Group Art Unit
2634

Examiner
Ha, Dac V.

Confirmation Number:
7568

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on September 20, 2004.


Katherin Cope

Alereon, Inc., the owner of one hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173 of U.S. Patent No. 6,421,389. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims

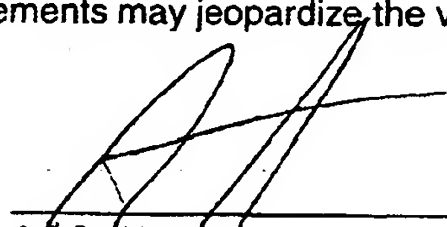
canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check box 1, 2, 3, or 4 as appropriate.

1. ☐ For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
2. ☒ The undersigned is an attorney or agent of record.
3. ☒ Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.
4. ☐ Terminal disclaimer fee under 37 C.F.R. 1.20(d). The Commissioner is hereby authorized to deduct \$110.00 representing the above-noted filing fee from Deposit Account No. 50-3183 of Sprinkle IP Law Group. The Commissioner is hereby further authorized to deduct any deficiencies or credit any overpayments regarding this application from the same account.

* Statement under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Arif G. Akmal
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9-20-04
Dated